

The Constitution lays out a balance of powers that certain responsibilities fall on the executive branch—the President—and certain responsibilities fall on us; and, of course, the courts have responsibilities of their own.

NOMINATION OF CHRIS MAGNUS

The President has nominated, in this instance, a fellow named Chris Magnus. He has nominated him to serve as the Commissioner of Customs and Border Protection, a very big and important job, as the Presiding Officer knows.

I always like to say that leadership may be the most important ingredient for success of any organization I have ever seen. Inside of government or outside of government, it is the single most important ingredient.

Chief Chris Magnus has over 40 years of exemplary public service in communities that span across this country. He has a strong track record of collaborative leadership, and his nomination has earned the support of dozens and dozens of law enforcement and public safety organizations.

It has been 8 months—8 months have passed since our President nominated Chief Magnus for this critically important role at the Department. The American people are counting on seasoned leadership at the Agency. We have the opportunity today to confirm this nomination and provide the leadership that is badly needed on the borders—especially on the borders of our Nation.

NATIONAL PEARL HARBOR REMEMBRANCE DAY

Madam President, the last thing I would say is this is also Pearl Harbor Day. It is a day for us to remember those who lost their lives, sacrificed their lives standing up for us all those years ago, on December 7, 1941.

With that, I yield the floor.

VOTE ON HAMILTON NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Hamilton nomination?

Mr. CARPER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 481 Ex.]

YEAS—52

Baldwin	Gillibrand	Murkowski
Bennet	Hassan	Murphy
Blumenthal	Heinrich	Murray
Booker	Hickenlooper	Ossoff
Brown	Hirono	Padilla
Cantwell	Kaine	Peters
Cardin	Kelly	Reed
Carper	King	Rosen
Casey	Klobuchar	Sanders
Collins	Leahy	Schatz
Coons	Lujan	Schumer
Cortez Masto	Manchin	Shaheen
Duckworth	Markey	Sinema
Durbin	Menendez	Smith
Feinstein	Merkley	Stabenow

Tester
Van Hollen
Warner

Warnock
Warren
Whitehouse

Wyden

NAYS—48

Barrasso
Blackburn
Blunt
Boozman
Braun
Burr
Capito
Cassidy
Cornyn
Cotton
Cramer
Crapo
Cruz
Daines
Ernst
Fischer

Graham
Grassley
Hagerty
Hawley
Hoeven
Hyde-Smith
Inhofe
Johnson
Kennedy
Lankford
Lee
Lummis
Marshall
McConnell
Moran
Paul

Portman
Risch
Romney
Rounds
Rubio
Sasse
Scott (FL)
Scott (SC)
Shelby
Sullivan
Thune
Tillis
Toomey
Tuberville
Wicker
Young

Heinrich
Hickenlooper
Hirono
Kaine
Kelly
King
Klobuchar
Leahy
Lujan
Manchin
Markey
Menendez

Merkley
Murphy
Murray
Ossoff
Padilla
Peters
Reed
Rosen
Sanders
Schatz
Schumer
Shaheen

Sinema
Smith
Stabenow
Tester
Van Hollen
Warner
Warnock
Warren
Whitehouse
Wyden

NAYS—47

Barrasso
Blackburn
Blunt
Boozman
Braun
Burr
Capito
Cornyn
Cotton
Cramer
Crapo
Cruz
Daines
Ernst
Fischer
Graham

Grassley
Hagerty
Hawley
Hoeven
Hyde-Smith
Inhofe
Johnson
Kennedy
Lee
Lummis
Marshall
McConnell
Moran
Murkowski
Paul
Portman

Risch
Romney
Rounds
Rubio
Sasse
Scott (FL)
Scott (SC)
Shelby
Sullivan
Thune
Tillis
Toomey
Tuberville
Wicker
Young

NOT VOTING—1

Lankford

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

The PRESIDING OFFICER. The Senator from Iowa.

REMEMBERING MIKE GARBO

Mr. GRASSLEY. Madam President, I come to the floor today to discuss what anybody ought to discuss with a heavy heart because when it comes to fighting drug abuse, the United States seems to be losing.

Over 100,000 Americans have died from drug overdoses in the last year alone. These casualties could have been prevented by better drug prevention, treatment, and intervention, but the brunt of this epidemic is due to drug trafficking organizations. Cartels fuel the flames of drug abuse, often using violence and causing devastating loss of life.

Drug traffickers lace street drugs with fentanyl, making deadly drugs even more lethal. And, of course, we all know that most or all of that fentanyl comes from China. China is winning a war, killing Americans through drug overuse, without even firing a shot.

Of course, drug traffickers are not slowing down. In June of this year alone, Customs and Border Protection agents seized over 1,000 pounds of fentanyl. This could kill two-thirds of the population of the United States.

The boots-on-the-ground agents seize these drugs before they reach us, but what they find, what they seize, is a fraction of what comes into the United States. In my home State of Iowa, agents from the Drug Enforcement Administration seized more lethal doses

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 513, Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

Charles E. Schumer, Richard Blumenthal, Richard J. Durbin, Angus S. King, Jr., Chris Van Hollen, Elizabeth Warren, Debbie Stabenow, Gary C. Peters, Tammy Baldwin, Maria Cantwell, Mark R. Warner, Benjamin L. Cardin, Tammy Duckworth, Tina Smith, Margaret Wood Hassan, Tim Kaine, Patty Murray.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. LANKFORD).

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 482 Ex.]

YEAS—52

Baldwin	Cardin	Cortez Masto
Bennet	Carper	Duckworth
Blumenthal	Casey	Durbin
Booker	Cassidy	Feinstein
Brown	Collins	Gillibrand
Cantwell	Coons	Hassan

of fentanyl in 2020 than there were people within the State. This means the Drug Enforcement Administration seized enough fentanyl to kill everyone in Iowa.

Our law enforcement officers are critical to the fight against illicit drugs.

Now, listen. In the last year or two, law enforcement has been subject to terrible abuse, but these brave men and women don't do just great things; they also do good—good for our country and good in protecting our people. The brave members of State and local law enforcement—you know, like the police, like the sheriffs, like the correctional officers, as well as our Federal officers—deserve honor and respect. They put their lives on the line to ensure that we are all safe.

When tragedy strikes, we feel the loss of our fiercest defenders. In fact, according to the FBI, the rate of officers killed in the line of duty is up. As of last month, 59 members of law enforcement were killed in 2021. At this point in 2020, the number was 39, and that was still an uptick from years prior. This trend is a grim reminder of the bravery, the courage, and the valor each law enforcement officer has when they go to work.

DEA Agent Mike Garbo was one of our most recent casualties in the fight against the illicit drug trade. He was conducting a routine check on an Amtrak train in Arizona when two drug traffickers ambushed him and his fellow DEA agents with gunfire, and of course Agent Garbo was killed.

Agent Garbo was a committed law enforcement person, committed to a career of public service generally and law enforcement specifically. He served as a police officer in Nashville for nearly 12 years before he joined the Drug Enforcement Administration. He served the DEA honorably for more than 16 years, combating drug traffickers all over the globe, from our southwest border all the way to Afghanistan.

This tragedy reminds us in Washington, here, that our work to stop the flow of illicit drugs and to combat drug-related crime isn't over. I support being tough on deadly drugs like fentanyl substances by pushing for permanently scheduling all fentanyl analogs, and I am leading a bipartisan effort to proactively control synthetic analogs and address the heightened threats of methamphetamine.

Being pro-active in the fight against illicit, deadly drugs is critical for multiple reasons.

First, we want to make sure it is harder for drug traffickers to bring drugs into our Nation and to fuel the addiction crisis, but we also need to make it harder for drug traffickers to feel emboldened in lawlessness and to kill law enforcement people like Mike Garbo.

It is time for us to stop sharing stories about tragedies, and, instead, we need to rewrite the story of our future

as a nation. I urge my colleagues to act for the betterment of all Americans and join me in the fight against the illicit drug trade, particularly the scheduling of fentanyl and its analogs.

Most importantly, we must all—and I do—thank Agent Garbo and his family for putting his life on the line to protect his fellow countrymen. His sacrifice is, sadly, much too common, but it doesn't make it any less powerful and tragic. We will continue to honor this man and those who follow in his footsteps as we fight the spread of illicit, deadly drugs.

PRIVATE DEBT COLLECTION PROGRAM

Madam President, now on another matter, I want to refer to the debate that is going on behind the scenes here as Democrats try to put together a bill that they would call the Build Back Better bill. I call it the Blue State Billionaire Bailout. It comes from that part that they are talking about increasing all of the IRS agents by a massive amount of people to supposedly bring in x number more dollars into the Federal Treasury. There is some debate about how much it will bring in.

But I want to talk about a program that hires more agents, pays for more agents, and brings in more money, and that is the Private Debt Collection Program.

Going back to what is being talked about here in the Senate behind closed doors in the Democratic Party to put this Blue State Billionaire Bailout bill together, I go to December 1, Washington Post, Secretary of Treasury Janet Yellen. The Post gave her two Pinocchios for claiming that the bloated Blue State Billionaire Bailout package is fully paid for, or, as she would say, the Build Back Better bill is fully paid for.

Much of the Post's column focuses on how much revenue Democrats' proposed increase in the IRS enforcement budget would generate. The White House and the Congressional Budget Office have offered wildly, wildly different estimates of what that proposal would do. The estimate provided by CBO—that is Congress's official scorekeeper—is hundreds of billions less than the number provided by the White House.

I am noting this disagreement to highlight an existing program that is bringing in additional revenue without Congress spending 1 dollar more. I am speaking about, as I previously said, the Private Debt Collection Program.

Recently, the IRS provided an update of this program's enforcement and performance for fiscal year 2021. It shows the program is thriving and bringing in more and more revenue on an annual basis.

Maybe I should give a personal comment on why this program is important to me, because I think I was chairman of the Finance Committee—I forget whether it was 2003 through 2006—during that period of time that we set this program up.

This update on the latest statistics shows that this program, the Private Debt Collection Program, resulted in net revenue to the Treasury of more than \$1 billion in fiscal year 2021. This is a real increase of around 129 percent over net revenue in fiscal year 2020 of around \$459 million. That 2020 increase was on top of a more than 100 percent increase in net revenue over the year 2019.

These numbers show that the longer the Private Debt Collection Program operates, the more it recovers to the Federal Treasury. The incredible numbers of fiscal year 2021 also reflect several months where the IRS did not provide new cases to the private debt collection company, and without cases being given to these private debt collectors, you aren't going to get more revenue.

In a previous speech, I said that I was going to hold the IRS Commissioner responsible to his promise to provide additional cases to the collection companies by September 27.

And, by the way, I also ought to make very clear that this Private Debt Collection program only goes after taxpayers that aren't paying and that the IRS has given up on collecting money from.

So Commissioner Rettig has kept his promise. I understand that additional collection cases were provided. I commend Commissioner Rettig for following through on his promise to me and for his continued support of this very worthwhile program.

The Private Debt Collection program also does more than just bring in revenue into the Treasury. It also pays for the IRS to hire special compliance personnel who collect unpaid debts that are owed to the government. Those amounts are reflected in the total fiscal year numbers that I gave earlier. I understand that the program was also so successful that the IRS can now hire with this additional revenue up to 400 more employees.

Right now, the Senate is wrangling over how much revenue might be collected if you increase the budget of the IRS and hire thousands of additional IRS personnel. So, meanwhile, as I have shown, we currently have a program that is already bringing in more money year over year, while paying for additional IRS personnel.

I appreciate Commissioner Rettig's support of this program, and look forward to reporting to my colleagues on his continued success.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

The Senator from Texas.